

Appendix of Forms

Sample 8 – Pretrial Case Management Order

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Plaintiff,

v.

Civil Case No: 98-1233-PA

Defendants.

**PRETRIAL ORDER ESTABLISHING THE TRIAL AND
PRETRIAL CONFERENCE DATES AND PROCEDURES**

1. Trial date: _____ o'clock _____ .M., on _____, the _____ day of , 200.
2. Pretrial conference: _____ o'clock _____ .M., on _____, the _____ day of , 200____.
3. Not later than _____ days before the pretrial conference, file and serve on all parties:

- A. **Exhibits and Exhibit List.** Plaintiff's exhibits should be numbered and listed starting with "1". Defendant's exhibits should be numbered and listed starting with "101". If multiple parties or numerous exhibits, contact the assigned judge's courtroom deputy clerk for exhibit number assignments.

Impeachment exhibits will be marked, sealed, and delivered only to the court. Each party shall separately identify exhibits the party expects to offer and those the party may offer if the need arises.

- B. **Depositions.** One copy of any deposition to be offered as substantive evidence to opposing counsel with those portions sought to be admitted underlined. (Not applicable to depositions used to refresh recollection or for impeachment.)

- C. **Witness List.** List all witnesses to be called, showing names, addresses, telephone numbers, and occupations, together with a brief statement setting forth the substance of the testimony and a time estimate for the direct testimony of each witness. Each party shall separately identify witnesses it expects to call and those the party may call if the need arises. Names and statements of impeachment witnesses may be sealed and delivered only to the court.
 - D. **Expert Witnesses.** A copy of the previously exchanged expert disclosures submitted to counsel pursuant to L.R. 205-1(a)(2) setting forth qualifications, any opinions to be expressed, the facts and data upon which the opinions are based, any exhibits to be used by the witness, a list of all publications authored by the expert in the last 10 years, the compensation to be paid for the study and testimony, and a listing of any other cases in which the witness testified as an expert in deposition or at trial in the last 4 years.
 - E. **Itemized List of Special Damages** [if any].
 - F. **Voir Dire Questions** [jury trials only].
 - G. **Requested Jury Instructions** [jury trials only]. If more than 20, attach index.
 - H. **Verdict Forms** [jury trials only].
 - I. **Suggested Findings of Fact and Conclusions of Law** [non-jury trials only]. If more than 20, attach index.
 - J. **Trial Briefs.**
4. The following are examples of the subjects the court may want to discuss and schedule at the pretrial conference:
- A. Exhibit objections.
 - B. Deposition testimony objections.
 - C. Verdict forms [jury trials only].
 - D. Voir dire questions [jury trials only].
 - E. Jury instruction objections [jury trials only].

- F. Findings of Fact and Conclusion of Law [non-jury trials only].
 - G. Settlement.
 - H. Other matters which may arise.
5. Except for good cause shown, no exhibits or testimony will be received in evidence at trial unless presented in accordance with this order.

IT IS SO ORDERED.

DATED this _____ day of _____, 20____.

JAMES M. BURNS
Senior District Judge

cc: Counsel of Record
Courtroom Deputy Clerk

